

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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VINCENT W. DEPASQUALE,
Plaintiff,

v.

NEVADA DEPARTMENT OF
CORRECTIONS, et al.,
Defendants.

3:07-cv-00107-LRH-VPC

ORDER

Before this Court is Report and Recommendation of U.S. Magistrate Judge Valerie P. Cooke (#65¹) entered on April 30, 2009, recommending granting Defendants' Motion to Dismiss, or in the Alternative, Motion for Summary Judgment (#54) filed on January 8, 2009. Plaintiff filed his Objections to Magistrate Judge's Report and Recommendations (#67) on May 18, 2009, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B 3-2 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the objections of the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) and Local Rule IB 3-2. The Court determines that the Magistrate Judge's Report and Recommendation (#65) entered on April 30, 2009, should be adopted and

¹Refers to court's docket number.

1 accepted.

2 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation
3 (#65) entered on April 30, 2009, is adopted and accepted, and Defendants' Motion to Dismiss, or in
4 the Alternative, Motion for Summary Judgment (#54) is GRANTED as to all counts.

5 The Clerk of the Court shall enter judgment accordingly.

6 IT IS SO ORDERED.

7 DATED this 10th day of September, 2009.

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11 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
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